8 FEB 53

SECURITY INFORMATION

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ROUTING -

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DIRECTOR CIA

OM: SR REP, FRANKFURT

#EE (1-2)

FORMATION: DC1 (3), D/DC1 (1), DD/P (5-6)

FRAN 1359

TO: DIR(ATTN: =

INFO: SBONN

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CITE: SFRAN

DATE 2007

1726Z 8 FEB 53

PRIORITY

IMMEDIATE HANDLING

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SOURCES METHODS EXEMPTION 382E

REF: (A) DIR 39808(OUT 87227)

(B) FRAN 1357(IN 35393)

(PORTION GARBLED, BEING SERVICED) A YOU HAVE NOW HAD CHANGE TO REVIEW STATEMENT FORWARDED (PORTION GARBLED, BEING SERVICED) SIGNED TODAY BOTH THAT
STATEMENT AND ONE CONTAINED PARA 4, REF A. WILL HOLD DELIVERY TO KANTOR
UNTIL FEBRUARY 10, PENDING YOUR INSTRUCTIONS WHICH TO DELIVER AFTER
CLEARANCE WITH STATE.

2. RE PARA 3, REF A. DOUBT SERIOUSLY FED AUTHORITIES WILL WITHDRAW
IF THEY FORCED TO BUY CASE, WHICH WOULD BE SITUATION IF THEY DON'T GET
STATEMENT. KANTOR, SCHMIDT AND PROSECUTOR SEEING ZINN FEB 12, SO IT IS
ESSENTIAL THEY BE GIVEN STATEMENT NO LATER THAN TENTH SO THEY WILL HAVE
CHANCE TO DISCUSS FOR 1 DAY PRECEDING MEETING. MOREOVER, MENCKE LOOKED
UP PROCEDURE ON WITHDRAWAL; MUST BE DONE BEFORE HESSE COURT ACCEPTS CASE
FOR TRIAL. PRESENT INVESTIGATION MAY BE CONTINUED ANY TIME, SO URGENCY
APPARENT.

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PAGE 2

- 3. ADVANTAGE OF STATEMENT REF B IS THAT U.S. GOVERNMENT PER SE NOT SO SERIOUSLY IMPLICATED, BUT PROTECTION STILL PROVIDED GERMAN DEFENDENTS SINCE THEY HAD NO WAY (PORTION GARBLED, BEING SERVICED) IN ACTS OFFICIAL POLICY, WHICH NOT, OF KNOWING WHICH.

  HOWEVER BELIEVE REBER WOULD BUY ALTERNATE, PARA 4, REF A, IF STATE APPROVES.

  (BONN PLEASE CLEAR THIS POINT WITH REBER MONDAY AND INFORM).
- 4. RE PARA 1, REF A. MUST RECOGNIZE POSSIBILITY STATEMENT WILL BE PUBLISHED, BUT SEE NO REASON WHY GOVERNMENT WILL NOT KEEP WORD AND REFER TO IT ONLY IN GENERAL TERMS WHEN REPORT MADE TO BUNDESTAG.
- 5. WE HAVE BEEN FORTUNATE IN HAVING NO PUBLICITY DURING PRELIMINARY HEARINGS. REASON FOR THIS OBVIOUSLY ZINN'S PROMISE TO GOVERNMENT NOT TO STIR UP MATTER THIS STAGE. ESSENTIAL TO MAINTAIN ESTABLISHED FEELING OF GOVERNMENT WE COOPERATING FULLY IN OBTAINING SOLUTION THIS COMPLICATED AND DELICATE PROBLEM.

END OF MESSAGE

HMSG CTR COMMENT: TREATED AS RYBAT.

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**CLASSIFIED MESSAGE** 

JENTRAL INTELLIGENCE AGENCY

CHAOO

ROUTING

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<u>):</u>

:OM:

DIRECTOR, CIA

SR REP, FRANKFURT

PRIORITY

EE (1-2)

8 FEB 53

COR: 0827Z 9 FEB 53

FORMATION:

DCI (3), D/DCI (4), DD/P (5-6), PP (7)

FRAN 1359

CORRECTION

CORRECT PARA 1 TO READ:

"1. YOU HAVE NOW HAD CHANCE TO REVIEW STATEMENT FORWARDED REF SEPPINGS SIGNED TODAY" ..... B.

CORRECT PARA 3 LINE 2 TO READ:

"PER SE NOT SO SERIOUSLY IMPLICATED, BUT PROTECTION STILL PROVIDED GERMAN DEFENDANTS SINCE THEY HAD NO WAY OF KNOWING WHICH GARWOOD'S ACTS".....

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